

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BERNARD HAMILTON,

No. C 09-0648 CW (PR)

Plaintiff,

ORDER GRANTING IN PART AND  
DENYING IN PART DEFENDANTS'  
REQUEST FOR AN EXTENSION OF  
TIME TO FILE ANSWER AND  
DISPOSITIVE MOTION; AND SETTING  
BRIEFING SCHEDULE

v.

G. THOMPSON, et al.,

Defendants.

Defendants request a thirty-day extension of time to file an answer to the second amended complaint. In its March 22, 2010 Order of Service, the Court stated: "Defendants will not be required to serve and file an answer before sixty (60) days from the date on which the request for waiver was sent." (Mar. 22, 2010 Order at 7.) The request for waiver was sent on March 25, 2010; therefore, the answer was due on May 25, 2010. Defendants' request for a thirty-day extension of time to file their answer would have resulted in a new deadline of June 24, 2010.

Defendants also ask the Court to extend the deadline to file a dispositive motion to ninety days from the date Defendants' answer is filed.

Having read and considered Defendants' request and the accompanying declaration of counsel, and good cause appearing,

IT IS HEREBY ORDERED that Defendants' requests for extensions of time to file an answer and a dispositive motion are GRANTED in part and DENIED in part.

Because the requested deadline to file an answer has passed, the Court GRANTS Defendants a brief extension, until July 23, to file their answer. The deadline to file a dispositive motion will

1 be extended for the requested ninety days from the date the answer  
2 should have been filed.

3 Accordingly, Defendants' answer must be filed no later than  
4 July 23, 2010. Defendants' dispositive motion must be filed no  
5 later than September 24, 2010. Plaintiff's opposition to the  
6 dispositive motion shall be filed with the Court and served on  
7 Defendants no later than sixty (60) days after the date Defendants'  
8 motion is filed. If Defendants wish to file a reply brief, they  
9 shall do so no later than fifteen (15) days after the date  
10 Plaintiff's opposition is filed.

11 This Order terminates Docket no. 25.

12 IT IS SO ORDERED.

13 Dated: 7/13/2010



CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

BERNARD HAMILTON,

Plaintiff,

v.

G. THOMSON et al,

Defendant.

Case Number: CV09-00648 CW

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 13, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Bernard Hamilton C-27300  
San Quentin State Prison  
San Quentin, CA 94964

Dated: July 13, 2010

Richard W. Wieking, Clerk  
By: Nikki Riley, Deputy Clerk

United States District Court  
For the Northern District of California